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DADE COUNTY COMMISSION

11

REGULAR MEETING

12

JANUARY 1, 2009

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1 MR. RUMLEY: Let's go ahead and get
2 started. We'll go ahead and call the meeting to
3 order. This is the regularly scheduled meeting of
4 the Dade County Commission which takes place at the
5 same time on the first Thursday of every month and
6 this is the first Thursday, January 1st. Proper
7 notice of the meeting was given in the legal organ,
8 the Dade County Sentinel, and has been posted in the
9 hallway of the Administration Building. At this
10 time I'd like to call the roll. Mr. Lowery?

11 MR. LOWERY: Here.

12 MR. RUMLEY: Mr. Cervelli?

13 MR. CERVELLI: Here.

14 MR. RUMLEY: Mr. Pittman?

15 MR. PITTMAN: Here.

16 MR. RUMLEY: Mr. Goff?

17 MR. GOFF: Here.

18 MR. RUMLEY: Mr. Rumley, I'm here. The
19 reading of the minutes of the December '08 minutes
20 of the regular meeting will not be required since
21 all commissioners have been furnished in advance.
22 You do have copies of the previous minutes. Okay.
23 The minutes are public record and they are available
24 for review in our county office here, the county
25 manager's office. Feel free if you need a copy,

1 come by. The minutes are included in the consent
2 agenda. At this time, I need a motion to approve
3 the agenda.

4 MR. GOFF: I make a motion to approve
5 the minutes.

6 MR. RUMLEY: Is there a second?

7 MR. PITTMAN: Second.

8 MR. RUMLEY: Mr. Lowery?

9 MR. LOWERY: Yes.

10 MR. RUMLEY: Mr. Cervelli?

11 MR. CERVELLI: Yes.

12 MR. RUMLEY: Mr. Goff?

13 MR. GOFF: Yes.

14 MR. RUMLEY: Mr. Pittman?

15 MR. PITTMAN: Yes.

16 MR. RUMLEY: And I vote yes. Believe
17 me, I'm going to vote. That's what people put me in
18 here for and they're going to know how I stand on
19 these issues whether it's the consent agenda or
20 whether it's a dollar a car, you're going to know.

21 I would like to go ahead and ask -- I
22 would like to go ahead and ask Robert, before we
23 really get into the meeting, if he would say a
24 prayer and also the Pledge of Allegiance to the
25 flag. I think the previous commission has always

1 done this. I know we did when I was a commissioner
2 and I feel really good about it. If you would do
3 that, please, Robert, I would really appreciate it.

4 (Thereupon, the invocation and
5 Pledge of Allegiance were given.)

6 MR. RUMLEY: Okay. On the district
7 commissioner's reports, on our next agenda, we're
8 going to try to change that a little bit. That's
9 the way we've actually been doing it. We're going
10 to do it a little different, but I don't know
11 that -- Peter, have you got anything?

12 MR. CERVELLI: Well, I just wanted to
13 thank everybody who decided to come out here today
14 on New Year's Day on our first meeting. I'm sure
15 you -- maybe you didn't have better things to do. I
16 don't know. I appreciate you all coming.

17 The only comment I would like to do has
18 nothing to do with district four is that I've had
19 the opportunity to work with these gentlemen up here
20 over the last several weeks and I am confident and
21 optimistic that this will be a commission that will
22 work professionally and collegially and be a team.
23 It's going to be a tough year financially. I know
24 Senator Mullis is gone, but I've told him I'm not so
25 confident that our state legislature is not going to

1 cause us a lot more pain financially once they go
2 down there and decide how they're going to fix the
3 State budget and push some of those problems to us
4 here in the county, but I really believe we've got a
5 team. I'm optimistic about that and my only comment
6 is I feel good to be working with these gentlemen.

7 MR. RUMLEY: Mr. Goff?

8 MR. GOFF: I would like to say David
9 Young called me this afternoon and wished me well
10 and he's not here and that's what he said, he
11 wouldn't be able to be here, but I would like to,
12 even with him absent, thank Mr. Young and Ms. Moore
13 for what they've done for the county because it
14 obviously takes a lot of time. It takes a lot of
15 effort and it takes a lot of heart and I don't know
16 how many of you here tonight are from district
17 three. I know you're all from Dade County and
18 that's what matters. I do promise to do my best in
19 the upcoming months and years ahead of us for all of
20 the people in Dade County and I do ask if I can be
21 of any service to any of you, my name is in the
22 phone book. I think I'm the Robert Goff in there
23 and that's always been and don't expect it to
24 change, but if you need to get ahold of me, I do
25 want to hear from you and we'll work together for

1 the better of Dade County and I think we've got some
2 great days ahead of us. Thank you for being here.

3 MR. RUMLEY: Mr. Pittman?

4 MR. PITTMAN: I guess I would just like
5 to reiterate the same thing as Peter and Robert
6 said. We've all been together for 20 some odd hours
7 working on this budget and while we didn't agree 100
8 percent of the time, there were no bitter
9 altercations.

10 Ted, I'm really proud to have you back
11 on the commission. I think you'll make a great
12 executive. I look forward to working with all of
13 y'all. Lamar, too. I'm glad to be sitting between
14 Ted and Lamar. I feel a lot more secure than when
15 Ben was on one side and Lamar on the other.

16 MR. LOWERY: That's the reason Scottie
17 was -- he's bigger than I was. I'm also proud that
18 Ted is back on this commission. Me and Scottie both
19 worked with him four years ago. He did an
20 outstanding job. He done a lot of things that a lot
21 of people don't even realize he did. We lost one --
22 we had to do without a county manager for like eight
23 months. A lot of people don't know this. Ted come
24 in here and worked four or five days a week for \$400
25 a month. That's what the chairman was making at the

1 time. He come in here and done that. That really
2 said a lot about Mr. Rumley to me and so I really
3 appreciate him and really expect a lot out of him.
4 I am proud of him.

5 After working with Mr. Goff and Peter
6 Cervelli for these 22 hours on the budget, I really
7 feel good about the commission that we're fixing to
8 have. There were some things that we had to do that
9 was pretty rough when you've got to lay single moms
10 off and single fathers off. There's going to be
11 some hard decisions that have to be made and I'm
12 just glad I'm with this group of gentlemen here to
13 have to make them. It's not going to make it any
14 easier, but we'll do what we have to do. That's all
15 I've got.

16 MR. RUMLEY: I just want to say, you
17 know, I'm just glad to be here, you know. I said
18 four years ago in my mind, I probably wouldn't get
19 back in politics. Of course, a lot has changed
20 since then. I want you all to know that I'm here
21 for you and I'm going to do the best at my decision
22 making that I can and have the ability to and some
23 of you may not like me in four years and if you
24 don't, well, I'll be on the road, don't vote for me.
25 That's all I can say. We're going to do what's best

1 for this county. It's the time -- like I said over
2 there, we're living in a time we've never -- even
3 our mothers and fathers have never lived in and
4 we're going to try to do what's best for Dade
5 County. Just trust us. That's all I can ask you
6 and I appreciate this group. It's a good group of
7 people. I mean, Lamar is a little hard-headed, but
8 I can live with it. I put up with him before. But
9 really and truthfully, I feel we've got a good group
10 of people. With that said, let's go on with this
11 meeting.

12 All right. Do we have a representative
13 from the City here tonight? That's fine. I mean,
14 it's New Year's Day. I didn't expect it, government
15 job.

16 All right. Debbie, do you --

17 MS. TINKER: I think Allan is going to.

18 MR. RUMLEY: Allan, okay. That's fine.
19 You're not as good looking as Debbie.

20 MR. WARD: I know that's right. I
21 apologize for the casual dress. We thought we were
22 going to be removed from the agenda for tonight, but
23 we will give a formal report on the first quarter at
24 your next meeting.

25 MR. RUMLEY: That's fine. Just glad

1 you're here.

2 MR. WARD: As my last hoorah, Lionel
3 told me to come up and it would be okay if I spoke
4 tonight. I'm the outgoing president of the Dade
5 County Chamber of Commerce. And by the way, I want
6 to thank each and every one of you for thinking
7 about doing what you're trying to do.

8 I had one goal as president of the
9 Chamber of Commerce and I know a lot of people are
10 going to think, well, that's not very ambitious.
11 But, you know, it's like Rex Harrison mentioned the
12 other night, it came from a time -- it was not very
13 long ago when our Chamber came from not having
14 enough money to buy tissue paper to put in the
15 restrooms to having a full-time director and a board
16 of very talented people that I'm very proud of now
17 and that's due a lot to some of the people who are
18 sitting right here right now. And we do -- guys, I
19 know sometimes we have to butt heads, but we have to
20 butt heads to get things done and don't think that I
21 don't appreciate each and every one of you because
22 I've worked with all of you and I look forward to
23 working with you some more.

24 But as I mentioned, my one goal as
25 Chamber president this year was to get several

1 entities working together and one is the Chamber of
2 Commerce, the Industrial Development Authority, the
3 Northwest Georgia Joint Development Authority and
4 anybody else in this town who has anything to do
5 with economic development and to a certain extent, I
6 feel pretty good about accomplishing that goal
7 because we've gone from one hand not knowing what
8 the other hand is doing and I've attended some of
9 the Northwest Georgia Joint Development Authority
10 meetings, quite a few of the Industrial Development
11 Authority meetings and 99 percent of the Chamber
12 meetings and meetings I can't even tell you who they
13 were now, but we work well together. We're going to
14 continue to work well together.

15 Lionel Austin is our this year's
16 president and I have 110 percent faith in the guy.
17 He's going to do a wonderful job and I appreciate
18 you guys putting up with me and some of the crazy
19 ideas we come up with, but we've made leaps and
20 bounds and we're going to go a lot further in this
21 coming year by filling that Industrial Park with new
22 industry that needs to be in Dade County.

23 I don't want to take up a lot of time
24 sitting here talking, but, you know, I was
25 researching some stuff on the net last night.

1 There's a company in Texas I was telling Lionel
2 about. I know this is farfetched guys, but if you
3 don't pitch something, you don't know. It may be a
4 shot in the dark, but every once in a while, one of
5 those shots hits. It's a company with about \$600
6 million in capital investments for people that
7 invested for them to go find a home and build a
8 building, \$600 million just in building fees. A
9 little company called Hillus, come up with something
10 new for solar panels. It's a new film on solar
11 panels. Austin, Texas is bidding hard for them.
12 I'm going to send them a letter from the Dade County
13 Chamber of Commerce. We want them here. You know,
14 they may say, hey, this guy is crazy. But then
15 again, they may come to Dade County and want to see
16 our town. You never know if you don't ask.

17 I've worked with Peter quite a bit.
18 He'll tell you I'll ask anybody. I don't care. But
19 thank you again for what you do for us and keep us
20 in your hearts. Keep us in your prayers because we
21 need that more than anything. Thank you.

22 MR. RUMLEY: Thank you. I appreciate
23 that.

24 Okay. Moving down to four, our monthly
25 financial reports, Mr. Townsend.

1 MR. TOWNSEND: We have -- we've had a
2 very busy day putting together this packet and, as
3 you know, we closed out the year basically yesterday
4 and so that's why under number one, there's not a
5 whole lot of information. You do have some, the
6 commissioners do and you'll have in your packet a
7 variance report and then behind that, you do have a
8 budget. There will be changes to that. I'm just
9 letting you know that right now. We continue to
10 receive invoices really up to about 30 days and some
11 of those will be for 2007 expenses. Purchases,
12 anything, services that were rendered in -- I'm
13 sorry, 2008. 2008 we'll have to go back to 2008
14 year. We are currently on January '09 and the
15 closeout went okay.

16 But to give you a brief update, as far
17 as revenues year-to-date, December 31st, we
18 collected \$8,760,976. Year-to-date budget was
19 \$8,916,000. So we were about \$155,000 short on
20 that, which is not too bad. That's -- the
21 percentage attainment is 98.26 percent attainment
22 for the year, so that's not too bad. If you look at
23 the local option sales tax on page one, which funds
24 revenue, 31.3100, you'll see that the actual
25 year-to-date was 2,019,000. We budgeted 2,310,000.

1 So we're right about 300,000 short, 290,000 but
2 \$300,000 short and that right there is really the
3 thorn in our side. That's where we preach shop
4 locally and support our local vendors and
5 businesses.

6 If you look on page three at the
7 bottom, you'll see the total expenditures for the
8 year was \$8,045,913, so about \$8,046,000. Budget
9 wise though, we budgeted 8,817,000, so we were under
10 budget by 771,000. This is where Commissioner
11 Cervelli, especially with the finance committee,
12 really looked at actuals for next year's budget. A
13 lot of next year's budget is going to be based on
14 actuals. So that number may be a lot closer next
15 year. We are at 91 percent attainment for the year,
16 so next year we'll probably be a little closer to
17 100 percent. Then from there you get into the
18 details.

19 I will review the bank balances. Let's
20 see, drug education fund has a balance of 30,739;
21 federal asset fund, 2,518; special sheriff's fund,
22 11,414; jail fund 35,950; juvenile services fund,
23 13,350; victim assistance fund, 2,267; payroll,
24 187,733. That's a little elevated. It's normally
25 not that high, but we just made a deposit and

1 payroll checks are sitting back here, so that's why
2 that's a little high. We've made a deposit, but
3 checks haven't actually gone out.

4 Then under general fund, the balance is
5 187,733; principal and interest, \$992,064;
6 capital -- I'm sorry, P&I debt services, 26,379;
7 capital bond, 792,723; construction fund, 2,864,000.
8 Proceeds account is \$2,640 and projects account at
9 this point is still zero. So that is basically
10 what's going on financially. We do have some
11 investments. I'm sorry. I will be putting this on
12 paper and putting it in your box, but I want to go
13 ahead and make mention of these things. Principal
14 and interest CDs, we have -- I'm sorry, two \$50,000
15 CDs and one \$98,000 CD. Construction account we
16 have two, \$240,000 CD and a 97,000 CD.

17 You may wonder about the \$240,000 CD.
18 FDIC insurance changed this past fall. They raised
19 that up to 250,000 and that's why we do have one at
20 240, but it's still FDIC insured, and plus it's also
21 insured because they have to back it up 110 percent,
22 since it's public funds and also proceeds account,
23 we have \$140,000 CD. So we do have some investments
24 and we do have opportunities out there, but I was
25 kind of waiting until January before we get into any

1 more investments to kind of let everything cool off
2 and get ready for our auditors.

3 We will be having auditors probably
4 starting to come in and start looking and helping us
5 review accounts probably the second week of January,
6 so it's more of a preaudit function than it is audit
7 at this point, but that's pretty much it. Overall,
8 not too bad under budget. It's just cash is short.
9 This year -- last year at this time we had a lot
10 more than \$180,000 in the general fund. Cash flow
11 is still a problem. Sales tax dollars are just not
12 being generated like they have been in the past. I
13 have had a couple of commissioners ask me about
14 projections and we'll be doing that over the next 30
15 days to your liking. So if you've got any other
16 questions or needing that information, feel free to
17 come by and see me.

18 MR. RUMLEY: Any questions? Don,
19 approximately how much money -- how much have we
20 spent of this year's tax money to pay last year's
21 bill roughly? I mean, what are you just -- I mean,
22 what is -- if you can't give me that right now,
23 that's fine.

24 MR. TOWNSEND: Well, it is kind of hard
25 to say. It's kind of looking at possibly going to

1 fiscal year maybe this year, perhaps next year, but
2 sometime we'll be looking at that. When you think
3 about it, you're -- you want to think of it as next
4 year's money, but it's still a cash flow situation.
5 I mean, we spend on average about -- we take in --
6 for the month of December, we took in \$1.1 million
7 and for the month of December we spent about
8 854,000. That is a little heavy as I talked about
9 in the financial meetings that we were having for
10 the budget. It's normally more around, you know,
11 500 to 600,000 per month, so really I would say
12 close -- almost 600,000.

13 MR. RUMLEY: Almost 600,000 of this
14 year's money.

15 MR. TOWNSEND: That's quite a chunk of
16 change.

17 MR. RUMLEY: That's right. We should
18 be operating on next year.

19 MR. TOWNSEND: We do not --

20 MR. RUMLEY: Or this year.

21 MR. TOWNSEND: Melissa told me that the
22 deposit -- because it went into January, that is
23 still in January. We made a deposit on Wednesday,
24 was it yesterday, of \$500,000, so you probably --
25 you can put 500,000 on top of this number. It does

1 look a little bit better. It's not reflected in
2 these reports. However, it's still --

3 MR. RUMLEY: That answers the question.

4 MR. TOWNSEND: It's still a lot less
5 than we should have. In my opinion, we should have
6 around 1.2 to \$1.5 million in the bank because --

7 MR. RUMLEY: After it clears.

8 MR. TOWNSEND: Yes. Jane should be
9 closing out her books probably yesterday evening or
10 first thing this morning and getting her year
11 started, so she will be sending us some other funds.
12 I would say at least between 5 and \$800,000 check,
13 but we did go ahead and get an advance of 500 to get
14 it in the 2008 year.

15 MR. RUMLEY: Okay. Have you got any
16 questions? Okay. I need to entertain a motion to
17 approve our monthly finances and investment
18 statement. Do I hear a motion?

19 MR. PITTMAN: I make a motion we
20 approve the financial investment statement.

21 MR. RUMLEY: Do I hear a second?

22 MR. LOWERY: Second.

23 MR. RUMLEY: Okay. I'll call the roll.
24 Mr. Cervelli?

25 MR. CERVELLI: Yes.

1 MR. RUMLEY: Mr. Lowery?

2 MR. LOWERY: Yes.

3 MR. RUMLEY: Mr. Pittman?

4 MR. PITTMAN: Yes.

5 MR. RUMLEY: Mr. Goff?

6 MR. GOFF: Yes.

7 MR. RUMLEY: Mr. Rumley votes yes.

8 MR. TOWNSEND: Who seconded that

9 motion?

10 MR. RUMLEY: Mr. Lowery. Okay. Legal
11 matters.

12 MR. ROGERS: On Tuesday we received
13 notice that the Association of Ambulance Service
14 Providers in Georgia had filed a petition to enjoin
15 the state from allowing Walker County and Dade
16 County from operating the ambulance service pursuant
17 to the recommendation of the Region One Emergency
18 Medical Service Board. And as you can imagine, this
19 came at a really bad time. I think that the action
20 was filed by them in which they were claiming that
21 the state had not followed its procedures in issuing
22 the license is their contention. They filed the
23 action on December 24th at about noontime and we
24 didn't receive notice of that until Tuesday
25 afternoon. So when we received notice, we found out

1 there was a hearing scheduled on their petition
2 to -- for the injunction yesterday morning in
3 Atlanta, Fulton County Superior Court.

4 So at that time, Commissioner Rumley
5 and Commissioner Brandon, since he was still in
6 office as of yesterday, and myself went down for the
7 hearing and the Fulton County Superior Court at that
8 time denied the motion or the petition for an
9 injunction which allows us to proceed with providing
10 ambulance service under the license that we had and
11 that was to begin tonight at 6:00, I think is when
12 the county assumes control. So there's still that
13 action pending out there. There's not been any
14 further hearings scheduled on the action, to our
15 knowledge, and right now Dade County and Walker
16 County are not parties to that action, but certainly
17 we're concerned and we'll be continuing to monitor
18 that and if we need to intervene, we'll do so or if
19 we need to participate or support the attorney
20 general's office at the state as they defend the
21 action, we'll do that. I did want to bring everyone
22 up to date on where we were on that action.

23 MR. LOWERY: The County is also -- the
24 County is also -- of course, we've got Rex's
25 lawsuit, correct?

1 MR. ROGERS: Correct.

2 MR. LOWERY: That will probably be
3 coming down. And then there's another one, the
4 Miami Land Company, if you wouldn't --

5 MR. ROGERS: Right. The Board of
6 Assessors had fixed an amount for -- Paula Duvall,
7 do you want to -- you can clean up my mistakes. The
8 Board of Assessors had set a price for mineral
9 rights for those pieces of property in which the
10 land owner does not own the mineral rights
11 themselves of that particular land. And so when
12 notices went out, we had received back an appeal
13 from Miami Land Company. There was one other as
14 well; is that right? Okay. Who had appealed the
15 assessment of the value for the mineral rights the
16 Board of Assessors had said. So they've appealed
17 that and that will be going to Superior Court. It
18 is not there yet, but it will be shortly. So there
19 is another legal action that has not actually
20 arrived at the courts yet. Anything you need to add
21 to that?

22 MR. LOWERY: Thank you.

23 MR. RUMLEY: Anyone else got any
24 questions of Robin?

25 Okay. Okay. Under unfinished

1 business, the consent agenda, do you have your copy?

2 MR. TOWNSEND: Okay. The consent
3 agenda is the approval of the regular agenda as
4 amended by adding county executive job description
5 under new business, the approval of previous
6 minutes, the approval of new employees as presented,
7 the approval of Davis Fire Department's S.P.L.O.S.T
8 purchases equally or totaling \$197,911, approval of
9 newly organized Joint Development Authority to
10 dissolve the current Northwest Georgia JDA and also
11 a second consent agenda item to create the newly
12 formed JDA, resolution to allow the commissioners
13 access to financial information, resolution to
14 approve authorized signers on checking accounts.
15 The consent agenda also includes a mobile home --
16 authorizing the county attorney to create an
17 ordinance to demonstrate or display the mobile home
18 citation for failure to display decal. And let's
19 see, the Chamber of Commerce agreement with
20 stipulations of reevaluating at the September board
21 meeting to review amending the amount of funds to be
22 received and also changing the agreement from a
23 12-month to a nine-month contract and that's it.

24 MR. RUMLEY: Okay. All right. I need
25 to entertain a motion to approve.

1 MR. LOWERY: I'll make that motion to
2 approve the consent agenda.

3 MR. RUMLEY: I have a motion. Do I
4 have a second?

5 MR. CERVELLI: I second.

6 MR. RUMLEY: Okay. I have a second.
7 I'll call the roll. Mr. Lowery?

8 MR. LOWERY: Yes.

9 MR. RUMLEY: Mr. Cervelli?

10 MR. CERVELLI: Yes.

11 MR. RUMLEY: Mr. Goff?

12 MR. GOFF: Yes.

13 MR. RUMLEY: Mr. Pittman?

14 MR. PITTMAN: Yes.

15 MR. RUMLEY: The chair votes yes.

16 Okay. Let's move down to number seven,
17 new business, the appointment of a vice chairman.
18 The previous commission, Lamar Lowery was our vice
19 chairman and I have no problem reappointing him as
20 that position. I think he's done a good job.
21 There's been some headbutting, I mean, between he
22 and the chairman. I think we can -- both our heads
23 are hard, but I think we can override that. I would
24 like to have a comment on it from the other
25 commissioners, but that's my opinion.

1 MR. CERVELLI: Couldn't be a better guy
2 to do it.

3 MR. GOFF: Couldn't happen to a nicer
4 guy, I'm sure.

5 MR. RUMLEY: All right.

6 MR. PITTMAN: He's senior commissioner.

7 MR. LOWERY: We are --

8 MR. PITTMAN: Well, you're older than I
9 am, quite a bit older.

10 MR. LOWERY: Lot better looking.

11 MR. RUMLEY: That's not something,
12 Robin, we need to vote on, right?

13 MR. ROGERS: I was looking to see. I
14 think I would.

15 MR. RUMLEY: I couldn't find anywhere
16 that we had to.

17 MR. ROGERS: Yeah. I haven't seen that
18 either.

19 MR. RUMLEY: I would like to entertain
20 a motion that we appoint Mr. Lowery as vice
21 chairman.

22 MR. PITTMAN: I'd be proud to make that
23 motion.

24 MR. RUMLEY: Okay. Do I hear a second?

25 MR. GOFF: I'll second that.

1 MR. RUMLEY: I'll call a vote. Mr.
2 Goff?

3 MR. GOFF: Yes.

4 MR. RUMLEY: Mr. Cervelli?

5 MR. CERVELLI: Yes.

6 MR. RUMLEY: Mr. Pittman?

7 MR. PITTMAN: Yes.

8 MR. RUMLEY: Mr. Lowery?

9 MR. LOWERY: Abstain.

10 MR. RUMLEY: You're not going to vote
11 for yourself. We might need to reconsider this
12 then. Okay.

13 MR. LOWERY: I would like to say that I
14 appreciate the confidence in me and I'm trying to do
15 a lot better job working with Ted. I think it will
16 be a lot easier to do. I appreciate the support.

17 MR. RUMLEY: Okay. We also have the
18 question or the resolution of the chairperson,
19 county executive powers, Resolution R505. I think
20 we discussed it pretty in depth over there.

21 MR. LOWERY: We discussed it pretty
22 well in the work session. The R505 is the original
23 job description that we sat at the table and made
24 with the Association of County Commissioners to give
25 our executive strong executive powers, our chairman,

1 and we got away from that. Right or wrong, like it
2 or not, we did, but we feel like the whole intent
3 was to give the executive those strong powers and
4 this is what this will do is go back to him having
5 those strong powers. I'll make that motion, too.

6 MR. CERVELLI: The motion includes
7 amending it to be consistent with the personnel
8 policy?

9 MR. LOWERY: Yes, sir. So they have
10 the right to appeal. If they're fired, they have
11 the right to appeal to the entire commission.

12 MR. ROGERS: They have permission to
13 appeal and you all can consider whether to accept
14 that.

15 MR. CERVELLI: I'll second the motion.

16 MR. RUMLEY: Okay. I have a motion. I
17 do have a second. I'll call a vote. Mr. Lowery?

18 MR. LOWERY: Yes.

19 MR. RUMLEY: Mr. Pittman?

20 MR. PITTMAN: Yes.

21 MR. RUMLEY: Mr. Cervelli?

22 MR. CERVELLI: Yes.

23 MR. RUMLEY: Mr. Goff?

24 MR. GOFF: Yes.

25 MR. RUMLEY: I'm going to abstain. I

1 said I was going to vote on everything. It's my
2 job, but I want you to know I appreciate your trust
3 in me. I'll do my best not to let you down. I feel
4 to do the job, you know, I think it's the right
5 thing. You know, but I'll do my best to make you
6 proud, not just these people, but all of you. I
7 promise you.

8 MR. LOWERY: They're what it's all
9 about.

10 MR. RUMLEY: That's it. That's what
11 we're here for. All right. Anyone want to come up
12 and talk to us tonight? I give you five minutes.
13 Burrell, we'll give you a minute and a half.

14 MR. HILL: I just wanted to say
15 congratulations to our new elected commissioners and
16 I wanted to say thank you to our two that's been
17 serving for the past four years and I'm sure that we
18 can all work together and get great things done for
19 the county. I've heard it said about the president
20 elect and maybe I'm the same way, love him or hate
21 him, he's our president. Our commissioners, love
22 them or hate them, they're our commissioners and
23 working together, we can move Dade County forward.

24 I can't add anything to what Mr. Ward
25 said about the Chamber, but as most of you remember,

1 I was the president at the time we got the \$20,000.
2 You remember the abuse that I took. You're not
3 going to run me off with abuse. You know that. But
4 when you start to consider that, I hope you just
5 consider what the Chamber can do and at this time
6 with the new Volkswagen plant coming in, we really
7 need our Chamber. Thank you.

8 MR. RUMLEY: Thank you. Anyone else?
9 Okay. I don't think we need to have an executive
10 session tonight. There may be some in the future,
11 but --

12 MR. CERVELLI: I make a motion to
13 adjourn.

14 MR. RUMLEY: I didn't recognize you,
15 Peter. Like Lamar --

16 MR. GOFF: I recognize him.

17 MR. RUMLEY: I have a motion to
18 adjourn. Do I have a second?

19 MR. GOFF: I'll second.

20 MR. RUMLEY: Commissioner Lowery?

21 MR. LOWERY: Yes.

22 MR. RUMLEY: Mr. Pittman?

23 MR. PITTMAN: Yes.

24 MR. RUMLEY: Mr. Cervelli?

25 MR. CERVELLI: Yes.

1 MR. RUMLEY: Mr. Goff?

2 MR. GOFF: Yes.

3 MR. RUMLEY: The chair votes yes. I
4 would like to make one announcement before we do go.
5 I understand that Charlotte Cash had passed away
6 today.

7 MR. HILL: This afternoon, yes.

8 MR. RUMLEY: I just found out a little
9 bit ago.

10 MR. HILL: I don't either except she
11 will be --

12 MR. RUMLEY: Mark Cash's mother and
13 Annette Cash, which is our director of the Senior
14 Center. It's her mother-in-law.

15 MS. RUMLEY: Ted, Smoky just called me,
16 Smoky Russell, and the visitation is Saturday from
17 11:00 until 8:00 and the service is sometime Sunday.
18 They haven't made their mind up, but visitation is
19 Saturday.

20 MR. RUMLEY: Okay. She's a special
21 person to a lot of us. So just keep them in your
22 prayers.

23 I appreciate y'all coming so much.
24 Please come back. Bring your sisters and brothers.

25 END OF PROCEEDING

REPORTER'S CERTIFICATE

STATE OF TENNESSEE)
)
COUNTY OF HAMILTON)

I, Erin M. Flatt, Court Reporter and
Notary Public, in and for Hamilton County and the
State of Tennessee at Large, do hereby certify that
I reported in machine shorthand the proceedings had
in the above-styled cause on the 1st day of

January, 2009;

That the said proceedings were
reduced to typewriting under my personal supervision;
and that the foregoing is a transcript of said
proceedings.

This the 30th day of January, 2009.

Erin M. Flatt

Erin M. Flatt, Notary Public
in and for the State of
Tennessee at Large
My commission expires
November 7, 2010.

